

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2008-090358

03/01/2010

HONORABLE JAMES P. BEENE

CLERK OF THE COURT

K. Alger

Deputy

IN RE THE MARRIAGE OF
JEFF COLLINS

ZUBAIR ASLAMY

AND

RICHELLE COLLINS

SONYA E UNDERWOOD

DOCKET-FAMILY COURT-SE
FAMILY COURT SERVICES-CCC

JUDGMENT

On December 18, 2009, Respondent/Mother's counsel filed an affidavit of attorney's fees. On February 12, 2010, Petitioner/Father's counsel filed a response to Mother's affidavit of attorney's fees and Petitioner's application for award of attorney's fees. On February 18, 2010, Mother's counsel filed a reply to Father's response to affidavit of attorney's fees and response to application for attorney's fees.

Petitioner/Father's Application for Award of Attorney's Fees

As referenced in the Court's January 14, 2010 order denying Father's amended petition to modify parenting time, the parties' May 7, 2009 decree of dissolution clearly states that the parenting time schedule referenced in the decree is contingent upon Father providing an alcohol-free urine sample to TASC for eleven (11) consecutive weeks. At the December 14, 2009 evidentiary hearing on Father's petition to modify parenting time, Father testified that he had not provided eleven (11) consecutive weeks of alcohol-free urine samples to TASC. The Court finds that Father's petition to modify parenting time without first complying with the requirements of the parties' decree of dissolution is unreasonable. Therefore, pursuant to A.R.S. § 25-324,

IT IS ORDERED denying Petitioner's application for attorney's fees.

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Respondent/Mother's Affidavit of Attorney's Fees

On December 18, 2009, Mother's counsel filed an affidavit of attorney's fees requesting that the Court award Mother \$8,177.00 in attorney fees and costs. The Court finds that Mother's request for attorney's fees and costs is reasonable. As previously stated in this minute entry, the Court finds that the position taken by Father in his petition to modify parenting time is unreasonable. Therefore, pursuant to A.R.S. § 25-324,

IT IS ORDERED awarding reasonable attorney's fees and costs to Mother, and entering Judgment in favor of Mother and against Father in the sum of \$8,177.00.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81(D), Arizona Rules of Family Law Procedure.

/ s / HONORABLE JAMES P. BEENE

JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.